

**Exhibit 1**  
Deposition of Dawn Meyer

Page 1

1  
2 IN THE UNITED STATES DISTRICT COURT  
3 DISTRICT OF MINNESOTA  
4 -----  
5 THE SATANIC TEMPLE, Case No. 19-CV-01122  
6 (WMW/LIB)  
7 Plaintiff,  
8 v.  
9 CITY OF BELLE PLAINE,  
10 Defendant.  
11 -----  
12 Deposition of  
13 CITY OF BELLE PLAINE, MINNESOTA  
14 through  
15 DAWN MEYER  
16 Monday, February 8, 2021  
17 9:57 a.m.  
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21  
22  
23  
24 KATHRYN M. MOHAWK, RPR  
ESQUIRE DEPOSITION SOLUTIONS  
25  
26

Page 2

1 Deposition of DAWN MEYER, taken pursuant to  
2 Notice and agreement of counsel, and taken before  
3 Kathryn M. Mohawk, Notary Public in and for the County  
4 of Anoka, State of Minnesota, via videoconference.  
5  
6 A P P E A R A N C E S  
7  
8 MATTHEW A. KEZHAYA, ESQUIRE, of the law  
9 firm of KEZHAYA LAW PLC, 1202 Northeast McClain Road,  
10 Bentonville, Arkansas 72712, appeared for and on behalf  
11 of the Plaintiff via videoconference.  
12  
13 MONTE A. MILLS, ESQUIRE, of the law firm of  
14 GREENE ESPEL, PLLP, 222 South Ninth Street, Suite 2200,  
15 Minneapolis, Minnesota 55402, appeared for and on  
16 behalf of the Defendant via videoconference.  
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Page 3

1  
2 I N D E X  
3  
4 EXAMINATION BY: PAGE  
5 Mr. Kezhaya ..... 5  
6  
7 EXHIBITS  
8 Exhibit No. 1 ..... 9  
email 2/13/17 Votca to Ruud (1 page)  
9  
10 Exhibit No. 3 ..... 8  
TST application CITY000012 through 000015  
(4 pages)  
11  
12 Exhibit No. 5 ..... 11  
letter 3/29/17 Votca to Reason Alliance  
CITY000011 (1 page)  
13  
14 Exhibit No. 6 ..... 15  
email chain 6/29/17 CITY000044 through 000047  
(4 pages)  
15  
16 Exhibit No. 7 ..... 16  
email chain 6/30/17 (2 pages)  
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1 PROCEEDINGS  
2 THE REPORTER: All parties stipulate and  
3 agree that the witness was identified as DAWN  
4 MEYER, and the witness's testimony will be treated  
5 as if the witness is under oath. This deposition  
6 will be used for all purposes like other  
7 depositions.  
8 Counsel, can you please identify  
9 yourselves for the record; state who you represent;  
10 name any other parties in attendance with you in  
11 your location; and state on the record that you  
12 agree to the stipulation, please.  
13 MR. KEZHAYA: This is Matt representing  
14 the plaintiffs, The Satanic Temple. There's a  
15 little bit of feedback. I agree to the  
16 stipulation. And no one else is in the room with  
17 me.  
18 MR. MILLS: Good morning. Monte Mills for  
19 the City of Belle Plaine, and no one else is here  
20 with me.  
21 THE REPORTER: And you agree to the  
22 stipulation?  
23 MR. MILLS: Sure. Never saw it before  
24 this morning, but it's a deposition. Let's  
25 proceed.

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1  
2 DAWN MEYER,  
3 called as a witness, after having been duly sworn,  
4 was examined and testified as follows:  
5 EXAMINATION  
6 BY MR. KEZHAYA:  
7 Q. Please state your name for the record.  
8 A. Dawn Meyer.  
9 Q. And, Dawn, what is your role with the City?  
10 A. Administrator.  
11 Q. And what does an administrator do for the City?  
12 A. In general terms, they manage the office and follow  
13 policy as set by city council.  
14 Q. Okay. Do you serve as the chief executive for the  
15 City?  
16 A. City government doesn't set chief executives, but I  
17 -- There is no other position staff-wise above my  
18 position.  
19 Q. Okay. Do you report directly to the council?  
20 A. I do.  
21 Q. Okay. Are they -- For all intents and purposes,  
22 are they your bosses?  
23 A. Yes.  
24 Q. Okay. Is yours an elected position?  
25 A. No.

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1 Q. Okay. Do you have any relationship with Mayor  
2 Meyer?  
3 MR. MILLS: Objection: This is beyond the  
4 scope. We're here for a 30(b)(6) deposition of the  
5 City. There are five topics. It's time to start  
6 addressing the five topics.  
7 MR. KEZHAYA: We're going to get there  
8 shortly. Please answer the question.  
9 MR. MILLS: Nope. Moving on to the five  
10 topics, please.  
11 MR. KEZHAYA: I'm going to certify this as  
12 an issue for the Court for sanctions.  
13 Q. Let's move on to the five topics then. At some  
14 point, the City enacted the Enacting Resolution; is  
15 that correct?  
16 A. Correct.  
17 Q. Okay. What happened between then and the time that  
18 people started introducing the applications?  
19 A. Can you be more specific?  
20 Q. Yeah. How did you go about implementing it as a  
21 City?  
22 A. The resolution enacting the limited forum area was  
23 approved. The City created the space in the park  
24 as directed and created a -- or not created -- they  
25 started accepting permits.

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1 Q. Okay. Were there any internal guidelines created  
2 to determine whether an application would meet the  
3 resolutions or not?  
4 A. The resolution along with the permit which was  
5 approved at the time of enactment was the guiding.  
6 Q. Okay. Were there any meetings to determine whether  
7 applications would be accepted or not?  
8 A. No.  
9 Q. Who made the decision on whether an application  
10 would be approved or denied?  
11 A. The city administrator.  
12 Q. Okay. At the time, was that you?  
13 A. No.  
14 Q. Okay. That was Mike Votca?  
15 A. Michael Votca.  
16 Q. Okay. Did he consult with anyone, or was it  
17 entirely up to his discretion?  
18 A. As per the policy, it was the administrator's  
19 discretion.  
20 Q. Okay. At some point, y'all received an application  
21 from TST; is that correct?  
22 A. I believe the permit was from -- It did not state  
23 TST. It was --  
24 Q. Okay. But you -- Sorry. Go ahead.  
25 A. -- Reason Alliance.

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1 Q. Okay. But you knew it was coming from The Satanic  
2 Temple, didn't you?  
3 A. I believe they had their name on that permit as  
4 well.  
5 Q. Okay. I'm going to turn your attention to Exhibit  
6 3, Deposition Exhibit 3.  
7 MR. KEZHAYA: Katie, do I show it on my  
8 screen; or do you show it on yours?  
9 THE REPORTER: You, please.  
10 Q. Okay. Can you all see my PDF reader here?  
11 A. I do not see it.  
12 Q. Okay. How about now?  
13 A. Yes.  
14 Q. Okay. So this is Exhibit 3. The City produced  
15 this as City Bates stamps 12, 13, 14, and looks  
16 like 15.  
17 MR. MILLS: Excuse me. But when you're  
18 speaking in terms of deposition exhibits, I don't  
19 think this is Deposition Exhibit 3.  
20 MR. KEZHAYA: I promise you that this is  
21 Deposition Exhibit 3. I've just designated it as  
22 such.  
23 MR. MILLS: Oh, for this deposition or --  
24 MR. KEZHAYA: Correct.  
25 MR. MILLS: -- for the prior depositions?

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1 MR. KEZHAYA: For this deposition.  
2 MR. MILLS: I misunderstood. I thought  
3 you were using the exhibit numbers from the  
4 previous depositions in this case. That's often  
5 what people do. I apologize for the confusion. So  
6 for this deposition this is a --  
7 MR. KEZHAYA: This is Deposition Exhibit  
8 3.  
9 Q. Dawn, please answer the question.  
10 A. I didn't get a question. I apologize.  
11 Q. The question is, do you recognize this as TST's  
12 application?  
13 A. I recognize this application listing the Reason  
14 Alliance with a c/o The Satanic Temple, yes.  
15 Q. Sorry. I didn't catch that last part of the  
16 question. You said with a c/o of The Satanic  
17 Temple?  
18 A. It says c/o or care of on the --  
19 Q. Oh, I see.  
20 A. -- The Satanic Temple, correct.  
21 Q. Okay. The City expected an application from The  
22 Satanic Temple, didn't they?  
23 A. No.  
24 Q. No? I'm going to turn your attention to Deposition  
25 Exhibit 1. This is an email dated February 13th

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1 from Michael Votca to Dan Ruud. Do you recognize  
2 this email? Dawn, do you recognize this email?  
3 A. Yes.  
4 Q. Okay. I'm going to turn your attention to -- Let's  
5 see. Well, I'll just read the whole thing into the  
6 record.  
7 Since we don't have an official policy yet, we  
8 have no official requests. I received a letter  
9 from the Vets Club saying that they want to erect a  
10 display. The FFRF indicated in their letter that  
11 they wanted to put up a display. I also received a  
12 short message from someone stating that they were  
13 from a satanic temple. When I returned the call,  
14 no one answered; and they have not called back. I  
15 have an email message from a citizen asking to see  
16 the policy once it's approved so that they might  
17 place a display.  
18 What was the nature of this message from The  
19 Satanic Temple?  
20 A. I have no knowledge of that information.  
21 Q. You have no knowledge of it?  
22 A. No record.  
23 Q. Okay. February 13th was before the enacting policy  
24 was created; is that right?  
25 A. Correct.

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1 Q. Okay. So after this application was submitted, at  
2 some point Mike approved it; is that right?  
3 A. Correct.  
4 Q. Do you know the time difference between the  
5 application and the approval?  
6 A. I would need to refer to the file.  
7 Q. Okay. I'm going to turn your attention to the  
8 City's Exhibit -- or sorry -- Deposition Exhibit  
9 5. This is the permit in question; is that right?  
10 A. Correct.  
11 Q. So March 29 the permit was granted. Turning back  
12 to 3, February 23 it was sent. Do you know when  
13 you guys received it, the application?  
14 A. There is no received stamp.  
15 Q. Okay. So approximately one month goes by between  
16 the application being sent and the application  
17 being approved. What happened during that time  
18 frame?  
19 A. The City was preparing an area for the limited  
20 public forum.  
21 Q. Okay. What did that entail?  
22 A. It entailed marking out an area, lining it with  
23 pavers, placing a sign as required.  
24 Q. Okay. You mentioned something about pavers. Were  
25 there spots designated for these monuments?

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1 A. There was an area in the park designated. It was  
2 marked off by pavers.  
3 Q. Maybe I'm not understanding what you're saying  
4 then. What is a paver?  
5 A. A small brick-like product.  
6 Q. Okay. So how were these things marked off? Was it  
7 the area as a whole, or were there individual plots  
8 that got marked off?  
9 A. An area as a whole.  
10 Q. Okay. Was Mike personally the one that set those  
11 down?  
12 A. No.  
13 Q. Okay. So was there anything else that happened in  
14 this one-month period?  
15 A. Specifically to create --  
16 Q. Specifically with respect to evaluating this  
17 application or implementing the policy.  
18 A. They would have been measuring the area. They used  
19 aerials to determine the specifics. And they had  
20 to dig into the ground to place them as well as  
21 ordering a sign.  
22 Q. Who is they?  
23 A. Public works and the administrator worked together.  
24 Q. Okay. And public works was headed up by who?  
25 A. Alan Fahey is the public works superintendent.

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1 Q. Okay. Did the city council have any involvement on  
2 the approval of this application?  
3 A. No.  
4 Q. Did they have any involvement on whether it should  
5 be approved?  
6 A. No.  
7 Q. Did any city council members object to TST's  
8 application?  
9 A. No.  
10 Q. Okay. What all meetings took place that surrounded  
11 TST's application?  
12 A. None.  
13 Q. There were no meetings whatsoever about TST's  
14 application?  
15 A. No.  
16 Q. Okay. Are you familiar with the city council  
17 meetings in 2017?  
18 A. Yes.  
19 Q. There was a June meeting where a priest came in and  
20 objected to TST's application, wasn't there?  
21 MR. MILLS: Objection: This is beyond the  
22 scope of the deposition. There are five topics  
23 listed. The original -- Well, I'll just stop there  
24 for now. This is beyond the scope.  
25 MR. KEZHAYA: This is on point 3. Answer

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1 the question, please.  
2 MR. MILLS: I'm going to object. This is  
3 beyond the scope. Your original --  
4 MR. KEZHAYA: This is falling very clearly  
5 under the meetings and participants --  
6 MR. MILLS: I'm not done. I'm not done.  
7 Counsel, I'm not --  
8 MR. KEZHAYA: I don't care if you're done,  
9 Monte.  
10 MR. MILLS: The original deposition --  
11 MR. KEZHAYA: Are we going to call the  
12 judge right now?  
13 MR. MILLS: The original deposition notice  
14 included a statement about the City's  
15 communications with Father Brian Lynch. It also  
16 included various other topics about protests, about  
17 TST's display, and all these other topics. The  
18 Court's order said that each of those plaintiff's  
19 noticed Rule 30 deposition topics are not relevant  
20 to any claims or defenses in this case, and the  
21 plaintiff shall not inquire into such topics --  
22 (Background noise.)  
23 -- during the Rule 30(b)(6) --  
24 I just want to know whether the court reporter  
25 was able to get my objection on the record.

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1 THE REPORTER: Most of it. When the  
2 background started coming in, I --  
3 MR. MILLS: Yeah. Mr. Kezhaya -- Let the  
4 record reflect that Mr. Kezhaya is interfering with  
5 my objections.  
6 (Mr. Kezhaya on the telephone.)  
7 (Off the record.)  
8 THE REPORTER: I don't know what just  
9 happened there, but it wasn't on the record. And  
10 what you want on the record, guys, you have to  
11 speak one at a time because -- Well, you get it.  
12 MR. KEZHAYA: That's fine.  
13 MR. MILLS: Yeah. I definitely do get it,  
14 Katie.  
15 MR. KEZHAYA: I'm going to move to the  
16 next topic.  
17 BY MR. KEZHAYA:  
18 Q. So there was a meeting in July that the City hosted  
19 about TST's monument; isn't that the case?  
20 MR. MILLS: Objection. This is beyond the  
21 scope of the deposition --  
22 MR. KEZHAYA: Please answer the question.  
23 A. Can you be more specific, please.  
24 Q. So I'm going to turn your attention to Deposition  
25 Exhibit 6. On June 29th, TST notified it looks

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1 like your predecessor that the monument was ready  
2 to be installed. Were you aware of this?  
3 A. Yes.  
4 Q. Okay. And you actually responded to Malcolm saying  
5 that it couldn't be arranged for until July 6; is  
6 that right?  
7 A. Correct.  
8 Q. What was your -- What was your role at this time?  
9 A. I was serving as an acting administrator in the  
10 absence of the administrator.  
11 Q. Okay. And so you sent an email to Chris Meyer  
12 shortly after responding to Malcolm; is that right?  
13 This would be the email in question.  
14 (Referencing Exhibit No. 7.)  
15 A. Yep. I'm just refreshing my memory. Yes.  
16 Q. Okay. And Mayor Meyer responded the next morning  
17 asking you to set up a workshop session with the  
18 council and the veterans for July 10th, right?  
19 A. Correct.  
20 Q. Okay. Did you, in fact, set up that workshop  
21 session?  
22 A. There was no council workshop scheduled on July  
23 10th.  
24 Q. Okay. So you responded that you'll work on getting  
25 it set up and posted. We see this on Exhibit 7,

Page 17	Page 19
<p>1 right?</p> <p>2 MR. MILLS: Objection: This is beyond the</p> <p>3 scope.</p> <p>4 MR. KEZHAYA: This is meetings, Monte.</p> <p>5 I've heard your objection. Please answer the</p> <p>6 question.</p> <p>7 MR. MILLS: This is beyond -- Meetings</p> <p>8 constituting the internal decision making about</p> <p>9 plaintiff's request.</p> <p>10 MR. KEZHAYA: Yes. This would fall very</p> <p>11 cleanly under that. Dawn, please answer the</p> <p>12 question.</p> <p>13 MR. MILLS: I'll allow this one to proceed</p> <p>14 with that clarification.</p> <p>15 A. I'm sorry. Can you repeat the question?</p> <p>16 Q. Did you, in fact, set up a workshop session?</p> <p>17 A. We did not have a public meeting or the workshop</p> <p>18 session.</p> <p>19 Q. Okay. What is a workshop session?</p> <p>20 A. It's a public meeting with the council as a whole</p> <p>21 to review City business.</p> <p>22 Q. Okay. You said you didn't have a public meeting.</p> <p>23 Was there a private meeting?</p> <p>24 A. No.</p> <p>25 Q. Okay. Was any number of city council members</p>	<p>1 this deposition specifically approved by the Court</p> <p>2 was the City's communications with TST between</p> <p>3 January 1, 2017, and July 1, 2017. If you're</p> <p>4 asking for something regarding the City's</p> <p>5 communications after July 1, 2017, it's beyond the</p> <p>6 scope of what the Court ordered this deposition</p> <p>7 would be about.</p> <p>8 MR. KEZHAYA: All right. Well, Dawn, I</p> <p>9 think that's all the time we have for you today.</p> <p>10 Thank you so much for your time. And we'll be</p> <p>11 talking to you soon.</p> <p>12 THE WITNESS: Thank you.</p> <p>13 MR. MILLS: We'll read and sign, please,</p> <p>14 Katie.</p> <p>15 THE REPORTER: Sure. Copy of the</p> <p>16 transcript? What type of copy? Do you want an</p> <p>17 electronic PDF or something hard copy?</p> <p>18 MR. MILLS: Yes. An electronic PDF would</p> <p>19 be fine, Katie. Thank you.</p> <p>20 THE REPORTER: Sure. And, Mr. Kezhaya, an</p> <p>21 original copy, hard copy original?</p> <p>22 MR. KEZHAYA: Just a PDF for me, please.</p> <p>23 THE REPORTER: Just a PDF. No hard copy</p> <p>24 original?</p> <p>25 MR. KEZHAYA: Please.</p>
Page 18	Page 20
<p>1 meeting on July 10th?</p> <p>2 A. Not to my knowledge.</p> <p>3 Q. Okay. After this -- Well, what was the nature of</p> <p>4 telling Malcolm that this installation process</p> <p>5 would have to wait until July 6th?</p> <p>6 A. If you refer to the email --</p> <p>7 Q. Uh-huh.</p> <p>8 A. -- the installation was coordinated through our</p> <p>9 public work superintendent who manages all City</p> <p>10 property, and he was out of the office until that</p> <p>11 date.</p> <p>12 Q. Okay. Was that the only reason?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. Between, looks like, June 30 and about July</p> <p>15 13, Mr. Fahey was coordinating with Malcolm on</p> <p>16 installing the monument; is that right?</p> <p>17 A. Al Fahey was out of the office when I responded to</p> <p>18 that.</p> <p>19 Q. Uh-huh.</p> <p>20 A. So he would have been coordinating when he</p> <p>21 returned.</p> <p>22 Q. Correct. So between -- call it July 6 and July 13,</p> <p>23 he was coordinating with Malcolm to find a date to</p> <p>24 install the monument. Right?</p> <p>25 MR. MILLS: So I'll object. The scope of</p>	<p>1 THE REPORTER: Very good. Thank you.</p> <p>2 (The deposition was concluded at 10:20</p> <p>3 a.m.)</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

KATHRYN M. MOHAWK

1     Reference No.: 6618740  
2  
3     Case:    SATANIC TEMPLE vs BELLE PLAINE

## DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that  
6 I have read the entire transcript of my Depo-  
sition taken in the captioned matter or the  
7 same has been read to me, and the same is  
true and accurate, save and except for  
8 changes and/or corrections, if any, as indi-  
cated by me on the DEPOSITION ERRATA SHEET  
9 hereof, with the understanding that I offer  
these changes as if still under oath.

Dawn Meyer

NOTARIZATION OF CHANGES  
(If Required)

Subscribed and sworn to on the \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_ before me,

(Notary Sign)\_\_\_\_\_

(Print Name) \_\_\_\_\_ Notary Public, \_\_\_\_\_

in and for the State of \_\_\_\_\_

1 DEPOSITION OF DAWN MEYER, 2/8/21  
REPORTED BY KATHRYN M. MOHAWK, RPR

## CORRECTION SHEET

3	PAGE #	LINE #	CORRECTION	REASON
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1 Reference No.: 6618740  
Case: SATANIC TEMPLE vs BELLE PLAINE

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25 Dawn Meyer

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